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December 10, 2015

Emily Cummings
United States Attorney's Office
Suite 9200
1 Courthouse Way
John Joseph Moakley Federal Courthouse
Boston, MA 02210

Re: United States v. David Coke, 1:15-cr-10146-FDS; 1:15-cr-10147-MLW

Dear Ms. Cummings:

On behalf of the defendant, David Coke (“our client”), and pursuant to Local Rule 116.3, undersigned counsel hereby makes the following discovery requests with regard to any/all documents and information in the government’s possession, custody, or control, whether obtained in support of the indictment in this case or obtained in connection with any subsequent or ongoing investigation(s):

1. Please identify, by BATES number, any/all DEA, FBI, or BPD reports corresponding to all alleged controlled buys concerning our client in July & August, 2014, and January, 2015.¹
 - a. If the reports referenced in the above request have already been provided, but in redacted form, undersigned counsel respectfully now request unredacted versions of the reports be provided in order for us to effectively evaluate and defend the case against our client.

¹ In an effort to assist us with wading through voluminous discovery, you sent us on October 2 an email stating that “the DEA did the controlled heroin buys with David in July, August 2014 and then January 2015.” Unfortunately, we have been unable to locate any reports which reflect these controlled buys.

- b. Because we have been unable to find any reports describing the alleged controlled buys purportedly pertaining to our client, we have been unable to match anything up with the corresponding drug certifications contained in BATES # 7706-7783. We therefore respectfully request that the BATES numbers of the drug certifications which corresponds to the alleged controlled buys related to our client also be specifically identified by you at this time. If no drug certifications have been disclosed for (a) drug seizure(s) related to our client, we respectfully request such drug certifications be disclosed at this time.
2. Please identify which intercepted telephone conversations purportedly correspond to the alleged controlled buys relating to our client in July & August, 2014, and January 2015.
 - a. undersigned counsel respectfully request you disclose the date, time, and target phone number for every such call; and
 - b. this request expressly includes telephone conversations to which our client may not have been an actual party, but which nonetheless involve alleged narcotics transactions for which he is being held responsible, as well as any intercepted conversations that were not conducted on a target phone allegedly tied to our client.
3. Please disclose the total weights, and type, of any controlled substance you are attributing to our client either directly, or through "relevant conduct."
4. Please identify all intercepted conversations upon which the government intends to introduce against our client and/or rely upon at his trial, including exact dates, times and the target phones on which such conversations were intercepted.
5. Please confirm any/all voice identification processes and/or voice identification software utilized in this case; as well as any actual voice identification(s) of our client's voice, and provide the name of the person so identifying (his voice).
6. Please disclose, in unredacted form, the ATF Firearms Report contained in BATES # 3366-3371.
 - a. All but two (2) pages of this report are redacted. The unredacted pages provide no indication where the firearm(s) referenced therein came from, or how/if they are attributable to our client. Moreover, undersigned counsel have been unable to locate any other ATF Firearm Reports amongst the discovery provided. Therefore, at this point, undersigned counsel apparently has no access whatsoever

to testing/diagnostic reports relating to the firearm(s) allegedly attributable to our client.

7. Please disclose unredacted versions of the FBI-302, 1023, 1036 and 1087 Forms/Reports set forth in BATES # 4298-7698.
 - a. Many of these documents are redacted in their entirety.
8. Please provide all video tape recordings, if any exist, of the search at the following locations:
 - a. 500A Falls Blvd., Apt. 1223, Quincy, MA
 - b. 428 Willow St., Stoughton, MA
 - c. 44 McCusker Dr., Apt. 5, Braintree, MA
9. Please identify any/all BATES stamped documents that relate/pertain to the investigation of our client and/or the specific allegations in the indictments against him.²

We also take this opportunity to request your early production of any/all Jencks Act materials as, to date, we have not received anything that arguably falls under the “3500” category.

Sincerely,

/s/ R. Bradford Bailey

R. Bradford Bailey

Cc: Clerk, United States District Court (by ECF)

² Without such discovery we are compelled to read tens of thousands of irrelevant documents not directly relevant to our client’s case.